

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MERGENT SERVICES and JOHN ANDRIES :
BAL, JR., :

13 Civ. 6794 (CM)

Plaintiffs, :

-v- :

ITEX CORPORATION, STEVEN WHITE, :
personally and in the capacity of CEO, CFO, :
and Chairman of the Board, ERIC BEST, :
personally and in the capacity of Director, :
JOHN WADE, personally and in the capacity :
of Director, ROBERT BENSON, personally :
and in the capacity of Vice President, NYTO :
TRADE INCORPORATED, JOHN CASTORO :
aka NYTO TRADE INCORPORATION aka NYTO :
TRADE EXCHANGE and 44 TRADE :
CORPORATION, aka NYTO TRADE, INC., :
personally and in the capacity of President, :
and IZZY GARCIA, personally and in the :
capacity of Manager, :

Defendants. :
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PLAINTIFFS'
APPLICATION FOR THE
COURT TO REQUEST
PRO BONO COUNSEL
OR IN THE ALTERNATIVE
APPLICATION FOR THE
COURT TO REQUEST
COUNSEL PURSUANT
TO 18 USC § 3006A(g)

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 11/12/14

I, John Andries Bal, Jr., am the plaintiff, *pro se*, in this matter and the owner of Mergent Services, a sole proprietorship. I hereby request a *pro bono* attorney to represent me in this matter or, *in the alternative*, request counsel pursuant to 18 USC § 3006A(g). In support of my application, I declare under penalty of perjury that the following is true and correct:

1. I have been granted *in Forma Pauperis (IFP)* status. The information provided in the *IFP* application is a true and correct representation of my current financial status.

2. For the period in question, Mergent Services and eBuy-Sell.com, Inc. ("eBuy-Sell") were a member of ITEX Corporation ("ITEX"), an unauthorized foreign corporation that provides financial services to its 22,000 barter exchange members. eBuy-Sell is wholly owned by me.

3. My financial hardship is the result of ITEX's conversion of \$56,650 of my funds and ITEX's malicious freezing of eBuy-Sell's account which immediately put eBuy-Sell out-of-business.

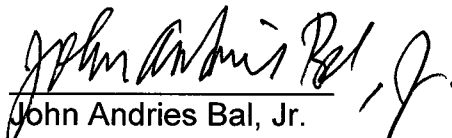
4. The Court, in its decision of October 29, 2014, advised me that as a result of the claims I raised against the defendants that I must be represented by an attorney.

5. I have made several unsuccessful attempts to obtain an attorney. These attempts included the Lock Law Firm located at 747 Third Avenue, 37th Floor, New York, NY 10017 and the Law Firm of Sanford Wittels & Heisler, LLP, 1350 Avenue of the Americas, 31st Floor, New York, NY 10019.

6. I understand there is no guarantee of a volunteer lawyer and if that lawyer learns that I can afford to pay for a lawyer, the lawyer may give this information to the Court.

7. I understand that if my answers on this application are false, my case may be dismissed.

Dated: November 12, 2014


John Andries Bal, Jr.